

Child Welfare Workers and Michigan's Family Court Legislation: The Relationship Between Policy and Practice

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ABSTRACT

INTRODUCTION AND PROBLEM STATEMENT

Social workers have historically played key roles in the area of child welfare, including child abuse and neglect cases, child custody issues, and juvenile delinquency. Child welfare is unique from other areas of social work practice because in the child welfare field, the social services system and the judiciary must work as one. Child welfare workers must be well versed in the laws affecting children's interests. They must be comfortable working within a legal system dominated by attorneys, judges, and court staff. Within this system, child welfare workers must design, recommend, and implement a myriad of court-ordered services that seek to serve the children's best interests in a variety of contexts.

Throughout this article, I use the term "child welfare worker" to include all social service professionals who work with families and children in the various matters brought before Michigan's family courts. The term "child welfare worker" has traditionally been used to refer to professionals who work with abused or neglected

Michigan created a family court in 1998, combining in a single court jurisdiction over most family law cases. This study examines the child welfare workers' role in creating the family court, the family court's impact on child welfare workers' practice, and child welfare workers' efforts to educate other professionals on the potential benefits of the family court system. This study found that child welfare workers were not actively involved in the creation of the family court and have not aggressively sought to educate other professionals regarding the family court's potential. Further, though child welfare workers' reception of the family court has largely been positive (or at least neutral), child welfare workers must take greater advantage of the family court system to improve the effectiveness of their practice.

children. I use this term more broadly to encompass all professionals who intervene in the family system regardless of the specific presenting problem they seek to address.

The court system in which Michigan's child welfare workers practice was radically reorganized on January 1, 1998, when the

Family Division of the Circuit Court (the "Family Court") came into existence. Michigan's Family Court was granted jurisdiction, or legal authority, to handle cases thought to fall within the general category of "family law." These matters include juvenile delinquency, child abuse and neglect, divorce, child custody, parenting time, and child support. As discussed below, the Family Court was created in response to perceived shortcomings in the existing judicial system. Proponents of the family court system sought to create a more "family-friendly" and efficient court system. The family court model is designed to treat families "holistically" by bringing before a single judge all issues that bring families under the court's broad jurisdiction.

Throughout the twentieth century, the potential

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benefits of the family court system gained increasing recognition in a number of states. At the same time, the social work profession witnessed the development and increasing popularity of family-based treatment. The necessity and propriety of intervening and providing treatment at the family level is now a hallmark of social work practice. Through different routes, both the judiciary in states such as Michigan and the social work profession have come to recognize the necessity of treating the family as an entity distinct from its individual members.

Given the prominent role that child welfare workers play within the family court system, one would assume that child welfare workers played an active role in developing and designing Michigan's Family Court. Further, given the social service professionals' commitment to effect sound public policy in matters important to their professions, one would expect child welfare workers to have been actively involved in developing the public policy creating Michigan's Family Court. Unfortunately, the existing literature does not reveal the extent to which child welfare workers were involved in creating and designing Michigan's Family Court system.

A great deal of literature does exist regarding the history, characteristics, and advantages of the family court system from the judiciary's perspective. Similarly, a great deal of literature exists regarding the development and propriety of family-based services within the social work profession, and the field of child welfare in particular. However, the existing literature does not consider whether the advent of the family court system has improved the child welfare worker's ability to provide family-focused services and treatment.

In light of these gaps in the literature, this article focuses on three broad questions. First, to what extent did child welfare workers participate in creating of Michigan's Family Court? Second, has the creation of Michigan's Family Court affected child welfare practice from the child welfare worker's perspective? Third, have child welfare workers sought to educate other professionals on the potential benefits of a family court system from the child welfare worker's perspective? These questions shift the debate surrounding the family court system from issues regarding court administration and judicial workloads toward a focus on the fundamental reason underlying the family court's very existence:

Providing and effectively delivering family-based services to the families under the court's jurisdiction.

While the research presented in this article is limited to Michigan's Family Court, the questions raised in this article and the conclusions drawn are instructive to family courts in other states. In every state, the driving force in developing a family court system has been to serve families who come before the court in family law matters more efficiently and effectively. To carry out this general goal, every family court relies on a number of child welfare workers to assist the court in fashioning appropriate court orders, and in enforcing those orders. As discussed below, this nexus of social and legal services makes the family court a unique entity. Recognition of this nexus of social and legal services led the author to consider the specific questions explored in this article. As this nexus is characteristic of all family courts, the conclusions drawn from this study are instructive to practitioners in other states' family courts, and specifically to the child welfare workers who practice in other states' family courts.

Literature Review

The Development of the Family Court System

The Family Division of Circuit Court Act (1996) created Michigan's Family Court effective January 1, 1998. The Family Court assumed jurisdiction over a variety of matters formerly under the jurisdiction of either the Juvenile Division of the Probate Court (the "juvenile court") or the general jurisdiction Circuit Court. Many authors have discussed the history and development of the juvenile court from its inception in Illinois in 1899 to the recent creation of unified family courts (Edwards, 1996; Fox, 1996; Hurst, 1999; Ross, 1998; Rubin, 1996; Shepherd, 1999; Stevenson et al., 1996). Costello (1998, February) and Schaefer (2000, March) focus on the particular development of Michigan's Family Court. I will highlight a number of trends from the literature that are most relevant to the issues discussed in this article. While not unique to Michigan, the trends I describe are indicative of trends that led to development of the Family Court in Michigan.

The family court's history can be traced to the earliest public policies designed to protect children. In the early nineteenth century, many states began to take affirmative steps to promote and protect the general

welfare of children. As Fox (1996) notes, in 1824 the New York legislature opened a House of Refuge for young offenders thought capable of reform. Children deemed in need of care due to their parents' shortcomings were also housed in this facility. Other states subsequently established similar institutions designed to protect children from their abusive families and to protect society from the children's antisocial behaviors. Early efforts such as these culminated in the creation of the first juvenile court in Chicago in 1899.

Since its inception in nineteenth-century Chicago, the juvenile court system has distinguished between children needing care due to their delinquent behavior and children needing care due to their parents' failure to provide them a safe home environment (Stevenson et al., 1996). Katner (1999) has suggested that this bright line distinction is misleading because many children involved in the court system need care for both reasons. Katner recognized that juvenile delinquency and child neglect or abuse should be viewed as symptoms of family dysfunction. Recognition of this circumstance was one factor leading to creation of the family court system in many states.

Nevertheless, juvenile court systems continue to distinguish children based on the circumstances that have brought them within the juvenile court's jurisdiction. Once brought under the court's jurisdiction, a child is made a ward of the court on one of two general bases. Delinquency wards are children alleged to have violated criminal laws or to have committed status offenses. (Status offenses such as truancy, running away from home, and incorrigibility are behaviors sanctionable only because the actor is a child.) In contrast, dependency wards are minors deemed in need of care due to abuse or neglect they have suffered at the hands of their parents or other caretakers. Delinquency wards thus find themselves subject to the court's authority due to their own behavior; dependency wards find themselves subject to the court's authority due to the behavior of others.

Children thus enter the juvenile court system through different jurisdictional "points of entry," and are then treated from distinct perspectives. Once the court obtains jurisdiction over a child, the court must respond to the child's perceived problem. The court's response is largely based upon the specific jurisdictional basis that

brought the child under the court's authority. In the social services professional's language, this specific jurisdictional basis would be referred to as the "presenting problem."

With delinquency wards, juvenile courts have traditionally focused on the child's rehabilitation (Jenson & Howard, 1998; Mitchell, 1996). However, the courts have always sought to balance the goal of rehabilitation with the necessity of protecting society from dangerous youths. As Jenson and Howard (1998) write, juvenile courts have historically alternated between focusing on punishment and rehabilitation as the public's (and thus the politicians') perception of the court's role and society's needs shift from time to time. Despite these policy shifts, the juvenile court system has always maintained a fundamental distinction from the adult criminal system, where the notion of rehabilitation has long since been abandoned (Jenson & Howard, 1998; Stevenson et al., 1996). Once a child becomes a delinquency ward of the juvenile court, a variety of child welfare workers, including probation officers, counselors, and therapists, begin working toward the child's rehabilitation.

With dependency wards, juvenile courts have historically focused on providing children safe, healthy home environments (Hardin, 1996; Schene, 1998). Tension in this field of practice has revolved around competing needs—the need to remove children from their parents' care to prevent risk to the child, and the need to provide those parents whatever services are necessary to avoid removal (Cook, 2000; Schene, 1998). The fundamental question is whether society, and thus the courts, should place a higher value on family preservation or should focus efforts on finding an alternate, permanent placement for children who have been removed from their family. Historically, the courts' preference for family preservation versus removal has shifted in response to public and political (and thus legislative) swings of opinion (Cook, 2000; Schene, 1998). Regardless, once a child is made a dependency ward of the court, foster care workers, counselors, therapists, adoption workers, and other child welfare workers begin carrying out the court's directions.

Research conducted in a number of states has revealed that many families involved in the juvenile courts are involved in both delinquency and dependency matters (Katner, 1999). Other research reveals that many

of the same families involved in these juvenile court matters are also involved in a separate domestic relation matter (Rubin & Flango's studies as cited in Stevenson et al., 1996; Rubin, 1996). Domestic relations matters include divorce, legal separation, paternity, child custody, and child support matters. Absent a unified family court system, domestic relations matters are resolved in a general jurisdiction trial court in which other civil as well as criminal matters are resolved. The research cited above, as well as supporting anecdotal evidence from a variety of sources within and from outside the court system, provided an initial impetus for a unified family court in many states.

Proponents of a unified family court have offered a number of arguments in support of their position (Page, 1993; Rubin, 1996; Stevenson et al., 1996). One argument stems from the practical reality of administering a non-unified court. Families involved in a non-unified court system through dependency matters, delinquency matters, and domestic relations matters are often forced to appear before different judges in a number of different proceedings. Within a single county a variety of judges preside in different courts often in physically distant locations. One objective of a unified family court is to provide families a single judge to preside over all the matters within the family court's broad jurisdiction. Proponents of this system stress that the family court's jurisdiction must at a minimum include dependency cases and delinquency cases from the juvenile court and all domestic relations proceedings from the general jurisdiction trial court (National Council of Juvenile and Family Court Judges, 1997; Katz & Kuhn, 1991). Thus, families involved in any of these types of proceedings would appear before specialized family court judges who would preside over each distinct family law proceeding.

A second argument behind the drive to create unified family courts focuses on the unique nature of "family law." Underlying all the diverse matters encompassing family law is a single constant—the dynamics of the family. Numerous studies have sought to understand the connection between various sorts of family dysfunction and juvenile delinquency, child abuse, and child neglect (Dobbin & Gatowski, 1996; Earls & Reiss, 1994; Kelley, Thornberry & Smith, 1997; August; Smith & Thornberry, 1995; Wells & Rankin, 1991; Williams, Ayers & Arthur,

1997). Few studies are conclusive, but many proponents of the family court system believe that underlying most, if not all, family law matters are common factors involving the particular family's dynamics and development. These factors often include poor parenting skills, domestic violence, and parental substance abuse. Proponents of the family court system argue that a specialized family court is necessary to address these complex cases in an efficient, competent manner.

Additionally, in all family law matters the court must balance the competing rights of family members who are often at odds with the "system" and with each other. The court must be cognizant of the underlying family dynamics as well as the individual family members' strengths, weaknesses, motives, and ability to change. In short, the court must be equally well versed in social sciences such as psychology, social work, and child development, as in the law (Edwards, 1992; Page, 1993; Ross, 1998). As Page notes, the emphasis on the social sciences is what distinguishes family law practice from practice in other areas of the law. Given this unique aspect of family law practice, proponents of the unified family court system argue that family law should be administered by judges who preside over all cases involving family law matters, and ideally over only family law cases (Page, 1993; Stevenson et al., 1996). The family court system is designed to create a specially trained judiciary able to handle the complex, multidisciplinary issues brought before the court.

The Development of Family Systems Perspective and Family-Based Treatment in the Social Work Field

As commentators on the judiciary such as Edwards (1992) and Page (1993) have made clear, family law practice is closely entwined with social work practice. The social work profession has historically emphasized child welfare practice (Hartman, 1990; Litzelfelner & Petr, 1997). As discussed below, the social work profession also has a long tradition of diagnosing and treating family dysfunction (Bardhill & Sanders, 1988).

These fundamental aspects of social work practice have led to a union of the social work and legal professions in family law matters. Throughout the twentieth century, the judiciary increasingly came to realize that family law cases involve family matters, as opposed to individual matters. Similarly, the social work profession

developed family-focused treatment both in theory and practice throughout the twentieth century. I will briefly discuss developments in the social work profession to illustrate how these developments neatly coincide with the trends described above regarding the development of the unified family court system.

The social work profession is generally thought to have begun with the advent of "friendly visitors" in the nineteenth century (Johnson, 1994). These friendly visitors, or charitable volunteers, sought to address a number of issues facing the poor, and in particular poor immigrants who had recently arrived in the United States. These volunteers focused on helping the poor face the myriad of challenges in the society of that day, but even the earliest social workers soon began to identify the family as the appropriate level for treatment.

Mary Richmond is generally credited with being the first social worker to clearly articulate the necessity of treating not the individual, but the individual client's entire family (Bardhill & Saunders, 1988). In *Social Diagnosis* (1917), Richmond described her commitment to family-based interventions. Despite Richmond's early efforts, social workers turned away from the family perspective for much of the first half of the twentieth century (Johnson, 1994). However, development of family-focused perspectives in the social sciences in the mid-twentieth century refocused the social work profession on Richmond's early work.

A major step in the development of the family-systems perspective was taken by Von Bertalanffy, who is credited with first articulating general systems theory in the mid-1950s (Johnson, 1994; Rodway, 1996). Von Bertalanffy (1969) adapted concepts from the physical sciences to a general theory of systems that was subsequently applied to the social sciences, including social work. Regarding social work, general systems theory is based on the premise that human beings live within a variety of interrelated systems. Examples of systems within our modern society include the immediate family, the extended family, the workplace, the community, and the larger society. Individuals interact with elements within each of these systems, and the elements of these systems in turn interact with each other in a dynamic, ongoing fashion. Life itself may be described as the process of successfully managing and manipulating these interactions on a daily basis.

General systems theory was readily adapted to social work practice with families (Johnson, 1994; Rodway, 1996). Families were recognized as living, dynamic systems in which the individual member may thrive or struggle. The individual's dysfunction became recognized as a symptom of the larger system's—the family's—dysfunction. This perspective's goal was not to absolve the individual of responsibility for his or her actions, but rather to consider the individual's behavior from the broader perspective of the systems in which he or she lives. Further, social workers came to recognize that one could not expect an individual to change his or her behavior if the individual's immediate and most intimate system, the family, remained static.

As noted by Johnson (1994) and Nichols and Schwartz (1995), the family system perspective was incorporated into a variety of family practice models. Since the mid-1970s, family therapy has become the treatment mode of choice among most clinical social work professionals (Rodway, 1996). Today, social workers continue to profess the necessity of treating the family system, and numerous treatment techniques and methods are taught in social work programs throughout the country (Nichols & Schwartz, 1995). Many authors have specifically stressed the propriety and necessity of treating families under the family court's jurisdiction from the family systems perspective (Edwards, 1992; Lichtenwalter, Bolerjack & Edwards 1997; Lewis, 1999; Moore, 1996; Ross, 1998; Waldfogel, 1998). Berg (1994) stresses that today's child welfare workers must be trained to effectively intervene on the family level in all the diverse matters encompassing the modern field of child welfare.

In light of the developments described above, a number of questions arise. First, to what extent were child welfare workers involved in creating and organizing Michigan's Family Courts? Given the special role child welfare workers play in family law matters, it stands to reason that their input would have been valuable and necessary to create an effective family court. In Michigan, the state task force established to implement the family court system was comprised of judges, court administrators, attorneys, and other government officials (Family Court Division Implementation Task Force, 1997, February). The extent to which child welfare workers lent their expertise in designing and imple-

menting Michigan's Family Courts is unclear.

Additionally, one must consider whether the family court has impacted the child welfare workers' ability to effectively intervene within the family system. Underlying all the statistics, assumptions, and theories offered to support the family court, the fundamental assumption remains that a unified family court can provide more effective services to families than can the traditional court organization. Apart from the convenience of a single judge being assigned to a family, and apart from the value of judges devoted solely to family law matters, what impact has the family court made on the professionals who provide services to the families under the court's jurisdiction? In short, how has the family court structure affected the child welfare workers' ability to effectively deliver family-based services? And finally, since the family court system was adopted in Michigan, have child welfare workers sought to educate other professionals on the family court system's potential to better provide family-based services?

These issues have not been previously studied. My review of the existing literature did not reveal any research regarding the child welfare workers' advocacy for or direct involvement in the creation of a family court system. Much research has focused on the impact of the family court system on the judiciary and on the necessity of providing family-based services to families that come before the family court. However, the family court system's impact on the ability of child welfare workers to provide effective family-based services has not been studied. In the next session of this paper, I will discuss my methodology, and the limitations of that methodology, in seeking to answer these questions.

Methodology

Appendix A contains the survey form distributed to child welfare workers to address the questions raised above. As noted previously, I have defined the term "child welfare worker" to include all professionals who work with families and children in the various matters brought before the family court. Thus, I distributed my survey to professionals working within the following fields in the family court system: child abuse and neglect, juvenile delinquency, domestic relations, court administration, and therapy and counseling.

Additionally, I did not limit my survey to profession-

als who have achieved degrees in social work or any other specific educational program or training. Professionals currently working within the child welfare field have a variety of educational backgrounds, including social work, psychology, education, and criminal justice. Survey question five addresses this circumstance. My survey was designed to capture the opinions of any professionals who work with children and families involved in the family court system, regardless of their formal training and education.

I distributed my survey through convenience and snowball sampling techniques. I first asked a number of supervisors in various courts and agencies to distribute surveys to their staffs. From each person I spoke with, I sought the names of additional contacts I could ask to distribute the survey. I also had coworkers and other professional acquaintances distribute surveys at a variety of professional functions where child welfare workers gathered.

My research methods are subject to a number of limitations. First, I did not seek to obtain a random sample of professionals working in Michigan's Family Courts. By relying on convenience and snowball sampling techniques, I drew on a sample that may not be representative of the larger class of child welfare workers throughout the entire state. Additionally, as is the case with all self-completed surveys, my surveys were likely completed more often by persons with strong opinions regarding the issues raised in the survey. Thus, the survey results could be skewed toward either extreme. Further, I designed my survey to capture specific answers to very broad questions. Most of the questions set forth in the survey warrant extensive follow-up. To limit the scope of this research, I chose not to include qualitative questions on my survey.

Additionally, although survey respondents were asked to provide their county of practice, field of practice, years of experience, educational background, and highest educational degree, I have not proposed any relationship between these variables and the responses to any survey questions. I collected these data to determine whether those variables might indicate any general trends contrary to the trends my research revealed for the population as a whole. My intention was to raise potential hypotheses for future research.

Even considering the methodological limitations

discussed above, my research methods were appropriate for the task at hand. My research methods provided data setting forth a snapshot of many child welfare workers' opinions regarding the impact of the unified Family Court system on their field of practice at the current time. Further, my research revealed a snapshot of the role played by child welfare workers in the Family Court's creation, and in the ongoing education of other professionals working within the Family Court system. My survey results thus permit formulation of general implications for child welfare practice.

Summary of Research Results

Approximately 300 surveys were distributed to child welfare workers. One hundred seventy-seven surveys were completed and returned. Surveys were collected from at least one child welfare worker in 20 of Michigan's 57 judicial circuits. Additionally, surveys were returned by professionals within each field of practice I sought to reach. The survey respondents represent a variety of levels of experience and educational backgrounds. Appendix B sets forth the overall results of all survey responses. Survey results may not total 100 percent in all cases because some respondents indicated more than one field of practice or educational background. Additionally, some respondents failed to answer each survey question.

I will discuss my research results as they fall into four specific categories: (1) the creation of the Family

Court; (2) the overall impact of the Family Court on child welfare practice; (3) the Family Court's impact on court-ordered services; and (4) the child welfare worker's role in educating other Family Court professionals.

The Creation of the Family Court

Table 1 sets forth the overall results for the six survey questions regarding the role child welfare workers played in creating the family court system. As Table 1 indicates, 85 percent of the survey respondents agreed that they have a stake in the family court system's effective operation. Only 5 percent of the respondents disagreed with this statement. Further, 75 percent of the respondents were aware that the Michigan legislature was drafting legislation to create a family court, and 73 percent of the respondents believed they could have provided useful input in the process of drafting that legislation. However, only 3 percent of the respondents actually participated in the legislative process leading to the family court's creation. Further, 69 percent of the respondents indicated that they could have played a valuable role in implementing the family court system in the county in which they practice, but only 13 percent of the respondents actually did play such a role. Responses to these questions followed these patterns regardless of the respondent's county of practice, field of practice, years of experience, educational background, or highest educational degree.

TABLE 1

SURVEY QUESTION	AGREE	DISAGREE	NO OPINION
Practitioners in my field of practice have a stake in the effective operation of the Family Court.	143 85%	8 5%	17 10%
I was aware of the legislative process leading to the creation of the Family Court.	131 75%	43 25%	
I could have provided input in drafting the legislation that created the Family Court.	127 73%	47 27%	
I was involved in the legislative process leading to the creation of the Family Court.	5 3%	172 97%	
I could have played a valuable role in creating or organizing the Family Court in my county.	122 69%	55 31%	
I did play a role in creating or organizing the Family Court in my county.	22 13%	150 87%	

TABLE 2

	POSITIVE	NEGATIVE	NO IMPACT
Total Results	75	32	63
	44%	19%	37%
Kalamazoo County	6	4	6
	37%	25%	37%
Kent County	9	3	10
	41%	13%	46%
Muskegon County	7	0	8
	47%		53%
Ottawa County	8	2	12
	36%	9%	55%
Saginaw County	7	4	5
	44%	25%	31%
Abuse/Neglect Field	7	4	9
	35%	20%	45%
Delinquency Field	21	11	15
	45%	23%	32%
Friend of the Court Field	17	7	20
	39%	16%	45%
1-5 years experience current field	27	2	17
	59%	4%	37%
5-15 years experience current field	14	11	25
	28%	22%	50%
Over 15 years experience current field	17	5	20
	40%	12%	48%
1-5 years experience in any Family Court field	21	1	18
	53%	3%	43%
5-15 years experience in any Family Court field	20	7	32
	34%	12%	54%
Over 15 years experience in any Family Court field	19	6	23
	40%	13%	48%
Social work major	13	2	13
	46%	7%	46%
Criminal justice/Law enforcement major	18	7	18
	42%	16%	42%
Psychology major	9	3	18
	30%	10%	60%
Sociology major	7	1	8
	44%	6%	50%
Liberal arts major	8	3	10
	38%	14%	48%
Bachelor's degree	36	13	46
	38%	14%	48%
Master's degree	20	4	21
	44%	9%	47%

TABLE 3

SURVEY QUESTION	AGREE	DISAGREE	NO OPINION/ NOT APPLICABLE
The Family Court should order services and treatment that target the family system.	148 86%	10 6%	15 8%
I typically recommend to the Family Court services and treatment that target the family system.	112 66%	18 11%	39 23%
Since the Family Court was created, I have more frequently recommended such services and treatment.	59 34%	70 40%	47 26%
Services and treatment ordered by the Family Court in my field typically target the family system.	76 44%	72 42%	23 13%
Since the Family Court was created, Court-ordered services and treatment in my field have more often targeted the family system.	57 34%	77 46%	32 19%

The Overall Impact of the Family Court

Table 2 sets forth the survey respondents' description of the overall impact of the Family Court's creation on their field of practice. Survey question 13 specifically asked respondents to indicate either "positive," "negative," or "no impact" to the following statement: "The creation of the Family Court has had the following impact on practice in my field." Total results to this survey question are provided, as are the results by county, field of practice, years of experience, educational background, and highest educational degree when at least 15 surveys for any of these categories were collected.

As indicated in Table 2, 44 percent of the survey respondents described the Family Court's impact on their practice as positive. Nineteen percent of respondents described the impact as negative, and 37 percent felt that creation of the Family Court has had no impact on their field of practice. Table 2 also sets forth the survey responses organized by the respondent's county of practice, field of practice, years of experience, educational background, and highest educational degree. This data indicates that a minority of respondents answered "negative" for each variable. However, for some variables most respondents answered "no impact," while for other variables most respondents answered "positive." Further research could be designed to address whether such dif-

ferences are statistically meaningful and to consider the reasons for any meaningful differences. For purposes of this article, it is clear that across all variables a majority of respondents indicated that creation of the Family Court has had either no impact or a positive impact, as opposed to a negative impact, on their field of practice.

Impact of the Family Court on Court-Ordered Services

Table 3 sets forth the overall results for the five survey questions regarding the Family Court's impact on the nature of court-ordered services. As Table 3 indicates, 86 percent of survey respondents agreed that the Family Court should order services and treatment targeting the entire family system. Further, 80 percent of respondents for whom the question was applicable agreed that they typically recommend family-based services to the court. Forty-six percent of respondents for whom the question was applicable agreed that they have recommended family-based services to the court more often since the Family Court was created. More broadly, 51 percent of respondents with an opinion agreed that services and treatment ordered by the Family Court typically target the family system. Forty-three percent of respondents with an opinion agreed that services and treatment ordered by the Family Court target the family system more often since the Family Court was created. Once again, the responses to these

TABLE 4

	AGREE	DISAGREE
Total Results	65	103
	39%	61%
Kalamazoo County	9	6
	60%	40%
Kent County	5	17
	23%	77%
Muskegon County	8	7
	53%	47%
Ottawa County	12	11
	52%	48%
Saginaw County	5	12
	29%	71%
Abuse/Neglect Field	10	13
	43%	57%
Delinquency Field	20	26
	43%	57%
Friend of the Court Field	14	30
	32%	68%
1-5 years experience current field	17	24
	41%	59%
5-15 years experience current field	23	27
	46%	54%
Over 15 years experience current field	16	25
	39%	61%
1-5 years experience in any Family Court field	10	27
	37%	63%
5-15 years experience any Family Court field	22	28
	44%	56%
Over 15 years experience current field	23	29
	44%	56%
Social work major	12	15
	44%	56%
Criminal justice/Law enforcement major	14	36
	28%	72%
Psychology major	16	15
	52%	48%
Sociology major	11	9
	55%	45%
Liberal arts major	9	11
	45%	55%
Bachelor's degree	31	52
	37%	63%
Master's degree	22	21
	52%	48%

questions followed these patterns regardless of the respondents' county of practice, field of practice, years of experience, educational background, or highest educational degree.

The Child Welfare Worker's Role in Educating other Family Court Professionals

Table 4 sets forth responses to the following statement: "Since the Family Court was created, I have sought to educate persons working within the Family Court system on the propriety of ordering services and treatment that target the entire family system." Overall results to this survey question are provided, as are results by county, field of practice, years of experience, educational background, and highest educational degree when at least 15 surveys for each of those categories were collected.

As Table 4 indicates, 61 percent of survey respondents disagreed that they have sought to educate other professionals regarding the family court system since the system's creation. With six exceptions, a majority of respondents disagreed with this statement regardless of the respondent's county of practice, field of practice, years of experience, educational background, or highest educational degree. A majority of respondents practicing in Kalamazoo, Ottawa, and Muskegon counties agreed with the survey statement. Further, a majority of respondents who earned a master's degree, and who had earned degrees in either psychology or sociology, agreed with this survey statement. Further research could be designed to address whether such differences are statistically meaningful and to consider the reasons for any meaningful differences. For the purposes of this article, it is clear that a majority of survey respondents have not sought to educate other Family Court professionals on the propriety of the Court ordering family-based services.

Implications for Child Welfare Practice

A number of implications for Michigan's child welfare workers can be drawn from my research. First, child welfare workers must be more directly involved in the legislative process regarding public policies that affect their field. My research reveals that only a small minority of survey respondents participated in the legislative process leading to the Family Court's creation.

Social service workers tend to view the direct provision of services and advocacy for social change as competing demands upon their limited time. Most professionals in the "helping professions" continue to view the direct provision of services as the more "noble" enterprise given their profession's roots. This perspective likely contributed to the child welfare workers' failure to become aggressively involved in the legislative process leading to Michigan's Family Court.

Further, the Family Court legislation required local courts to develop their own particular family court system within each individual county court system. My research reveals that only a small minority of survey respondents were involved in this process at the county level. The child welfare worker's ability to participate in the process at the county level was necessarily confined to the desires of the individual judges and other leaders within each county. It is conceivable that child welfare workers sought to be involved in this process, but were denied the ability to do so. Further research could be designed to address this question.

Regardless, my research reveals that at the state level, where broader access to decision makers is possible, child welfare workers largely abdicated their responsibility to impact legislation that focuses on the core of their practice. Child welfare workers were thus left to react to the Family Court legislation after its passage. This circumstance leads to a second fundamental implication of my research for child welfare practice.

Now that the Family Court system has been adopted, child welfare workers must affirmatively seek to effect the policies underlying the Family Court legislation. Creation of Michigan's Family Court may not have been driven by recognition of the specific treatment-focused trends discussed in the introduction and literature review, but the fact remains that the Family Court provides an opportunity for child welfare workers and the Family Court staff to take advantage of the Family Court's potential. Specifically, the existence of the Family Court model provides an opportunity for child welfare workers to push for adoption of more family-focused services and treatment.

Unfortunately, my research reveals that Michigan's child welfare workers are not currently taking advantage of this unique opportunity. A majority of child welfare workers are not educating other professionals

within the family court system regarding the opportunities to deliver family-focused treatment and services more effectively. To change this situation, child welfare workers must first ensure that they are adequately trained to successfully work within the Family Court. Secondly, child welfare workers must seek to educate and lead the judiciary on how the family court system can best be used.

Regarding the first point, Berg (1994) correctly notes that child welfare workers must be trained to intervene in a variety of systems and to focus on a variety of matters. An effective child welfare worker in a family court system must be competent in the fields of juvenile delinquency, child abuse and neglect, and child custody matters. The educational curriculum for students intending to enter the child welfare field must reflect this daunting reality.

Additionally, child welfare workers must understand the intricacies of the family court's judicial system as well as they understand the developmental, ontological, and clinical issues surrounding the families that become involved in the family court system. Law schools such as the University of Michigan School of Law have assumed a leadership role in providing interdisciplinary education to law students interested in family law practice. Students take courses in both law and social work to develop a sound basis for working within this field. Educational programs geared toward child welfare must follow this lead to ensure that graduates choosing careers in child welfare can successfully navigate the legal and social services systems in which they will practice. Child welfare workers currently in practice must seek and demand opportunities for continuing education to address their own gaps in knowledge. Only child welfare workers conversant in both the social sciences and legal aspects of practice within the Family Court will be able to educate, guide, and assist the judiciary in recognizing that Family Court issues require creative family-based interventions.

Turning to the second point, educating and leading the judiciary involves two steps. To begin with, child welfare workers must seek opportunities to address Family Court judges and referees, court administrators, attorneys, and other identified stakeholders (collectively, the "judiciary" for the purpose of this discussion). Members of the judiciary meet at regularly scheduled

professional conferences where child welfare workers could present such trainings. Additionally, child welfare workers should seek the assistance of leaders in their own family courts to develop trainings unique to their particular systems. Many judicial trainings have occurred since the inception of the Family Court, but such trainings have been primarily driven by the judiciary. Child welfare workers have played only a peripheral role when involved at all. Child welfare workers must assume a leadership role in such trainings.

Education of the judiciary must focus on the nature of family-based treatment and must stress the child welfare worker's expertise in such treatment. The judiciary must be provided a general understanding of family-based treatment, including such crucial concepts as equifinality. Applied to practice within the Family Court, the concept of equifinality suggests that regardless of a family's specific presenting problem, and regardless of the court's particular "jurisdictional point of entry" into the family system, an appropriate family-based intervention set forth in the court's orders can effect a positive change for that family. In short, it is irrelevant how the Family Court obtains jurisdiction over the family provided appropriate services are ordered based on the particular family's needs. The equifinality concept justifies the very existence of the Family Court.

Additionally, child welfare workers must challenge the judiciary to intervene in cases in a manner reflecting the policies underlying the Family Court. Such challenges amount to a more aggressive approach to education. In short, child welfare workers must assert the propriety of family-based interventions by challenging the courts to order such interventions. Doing so will prove threatening to some persons within the family court system, but child welfare workers must not wait to "win over" those individuals currently working within the system. Child welfare workers must now seek to effect family-based treatment services.

By assuming a leadership role in the Family Court, child welfare workers will impact another broad trend indicated in my research results. Forty-four percent of survey respondents described the Family Court's impact on their field of practice as positive, but 56 percent described the impact as negative or felt there had been no impact at all. Further, though 94 percent of respondents who expressed an opinion agreed that the Family

Court services and treatment should focus on the family system, only 43 percent of respondents who expressed an opinion agreed that the courts have done so more often since creation of the family court system.

Child welfare workers must bear some responsibility for this situation due to their lack of involvement in creating the family court system, and due to their failure, thus far, to aggressively educate other professionals on this system's potential benefits. The burden must fall on

the child welfare workers to aggressively seek more family-focused court orders. Only then will the family court begin more positively to impact their practice. By aggressively seeking to reap the benefits of the family court system from the service provider's perspective, child welfare workers will promote the family courts' adoption of a truly family-based perspective. Doing so would result in the family court system moving closer to the ideal it offers: The creation of a unified court system

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APPENDIX A
(Survey Distributed to Child Welfare Workers)

FAMILY COURT SURVEY

1. Please indicate the County where you currently practice: _____
2. Please indicate your current field of practice:

<input type="checkbox"/> child abuse/neglect	<input type="checkbox"/> friend of the court
<input type="checkbox"/> juvenile delinquency	<input type="checkbox"/> court ordered treatment/therapy
<input type="checkbox"/> administration	<input type="checkbox"/> other _____
3. Please indicate the number of years you have been practicing in your current field:

<input type="checkbox"/> less than 1	<input type="checkbox"/> between 5 and 15
<input type="checkbox"/> between 1 and 5	<input type="checkbox"/> more than 15
4. Please indicate the number of years you have been practicing in any field involving family court matters:

<input type="checkbox"/> less than 1	<input type="checkbox"/> between 5 and 15
<input type="checkbox"/> between 1 and 5	<input type="checkbox"/> more than 15
5. Please indicate your academic major(s):

<input type="checkbox"/> social work	<input type="checkbox"/> education
<input type="checkbox"/> criminal justice/law enforcement	<input type="checkbox"/> child development
<input type="checkbox"/> psychology	<input type="checkbox"/> liberal arts
<input type="checkbox"/> sociology	<input type="checkbox"/> other _____
6. Please indicate your highest educational degree:

<input type="checkbox"/> associate's	<input type="checkbox"/> master's
<input type="checkbox"/> bachelor's	<input type="checkbox"/> doctorate

Please indicate the best answer to each of the following questions:

7. Practitioners in my field of practice have a stake in the effective operation of Michigan's Family Court.
☐ AGREE ☐ DISAGREE ☐ NO OPINION
8. I was aware of the legislative process leading to the creation of Michigan's Family Court.
☐ AGREE ☐ DISAGREE
9. Given my experience in my field of practice, I could have provided helpful input in drafting the legislation that created Michigan's Family Court.
☐ AGREE ☐ DISAGREE
10. I was involved in the legislative process leading to the creation of Michigan's Family Court.
☐ AGREE ☐ DISAGREE
11. Given my experience in my field of practice, I could have played a valuable role in the process of creating or organizing the family court in my county.
☐ AGREE ☐ DISAGREE

-
12. I did play a role in the process of creating or organizing the Family Court in my county.
☐ AGREE ☐ DISAGREE
13. The creation of the Family Court has had the following impact on practice in my field:
☐ POSITIVE ☐ NEGATIVE ☐ NO IMPACT
14. In order to effectively intervene in family court matters, the family court should order services and treatment that target the entire family system.
☐ AGREE ☐ DISAGREE ☐ NO OPINION
15. I typically recommend to the family court services and treatment that target the entire family system.
☐ AGREE ☐ DISAGREE ☐ NOT APPLICABLE
16. Since the family court was created, I have more frequently recommended to the court services and treatment that target the entire family system.
☐ AGREE ☐ DISAGREE ☐ NOT APPLICABLE
17. Since the family court was created, I have sought to educate persons working within the family court system on the propriety of ordering services and treatment that target the entire family system.
☐ AGREE ☐ DISAGREE
18. Services and treatment ordered by the family court in my field of practice typically target the entire family system.
☐ AGREE ☐ DISAGREE ☐ NO OPINION
19. Since the family court was created, services and treatment ordered by the court in my field of practice have more often targeted the entire family system.
☐ AGREE ☐ DISAGREE ☐ NO OPINION

APPENDIX B

Note: Results may not total to 100 percent because some respondents indicated more than one field of practice and educational background. Additionally, some respondents failed to answer each survey question.

TOTAL SURVEY RESULTS

I. CREATION OF THE FAMILY COURT

SURVEY QUESTION	AGREE	DISAGREE	NO OPINION
Practitioners in my field of practice have a stake in the effective operation of the Family Court.	143	8	17
I was aware of the legislative process leading to the creation of the Family Court.	131	43	
I could have provided input in drafting the legislation that created the Family Court.	127	47	
I was involved in the legislative process leading to the creation of the Family Court.	5	172	
I could have played a valuable role in creating or organizing the Family Court in my county.	122	55	
I did play a role in creating or organizing the Family Court in my county.	22	150	

II. OVERALL IMPACT OF THE FAMILY COURT ON FIELD OF PRACTICE

SURVEY QUESTION	POSITIVE	NEGATIVE	NO IMPACT
The creation of the Family Court has had the following impact on my field of practice.	75	32	63

III. IMPACT OF THE FAMILY COURT ON COURT-ORDERED SERVICES

SURVEY QUESTION	AGREE	DISAGREE	NO OPINION
The Family Court should order services and treatment that target the family system.	148	10	15
I typically recommend to the Family Court services and treatment that target the family system.	112	18	39
Since the Family Court was created, I have more frequently recommended such services and treatment.	59	70	47
Services and treatment ordered by the Family Court in my field typically target the family system.	76	72	23
Since the Family Court was created, Court-ordered services and treatment in my field have more often targeted the family system.	57	77	32

IV. EDUCATION OF OTHER PROFESSIONALS

SURVEY QUESTION	AGREE	DISAGREE
Since the Family Court was created, I have sought to educate other professionals regarding the Family Court.	65	103